

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JOSEPH ALEXANDER PECSI, IV,

Plaintiff,  
v. Case No. 1:14-CV-220

THE CITY OF NILES, MICHIGAN,  
et al., HON. GORDON J. QUIST

Defendants.

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**ORDER ADOPTING IN PART REPORT AND RECOMMENDATION**

On March 24, 2016, Magistrate Judge Carmody issued a Report and Recommendation (R & R) recommending that the Court grant Plaintiff's motion for default judgment against Defendant Cross in part by entering a default judgment against Defendant Cross but denying without prejudice Plaintiff's request for an evidentiary hearing pursuant to Fed. R. Civ. P. 55(b)(2).

The Court will adopt the R & R in part and grant both Plaintiff's request for entry of default judgment against Defendant Cross and his request for a hearing, to be set by separate order.

Therefore,

**IT IS HEREBY ORDERED** that the Magistrate Judge's Report and Recommendation issued March 24, 2016 (ECF No. 135) is **ADOPTED IN PART**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Entry of Default Judgment and for an Evidentiary Hearing (ECF No. 110) is **GRANTED**. Default judgment is provisionally granted against Defendant Cross pursuant to Fed. R. Civ. P. 55(b)(2), with the amount of such judgment to be determined and incorporated into a final judgment following an evidentiary hearing to be set by separate order.

Dated: March 31, 2016

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE